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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In Re Application of Hofrichter, et al. Attorney Docket No.: 80398.P455Application Number 09/921,199Filed August 1, 2001For System and Method for Enabling Distribution and Brokering of Content InformationGroup Art Unit: 3629 Examiner: T. Smith

Address to:

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 500.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

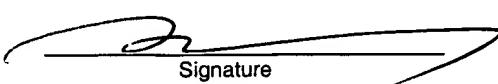
The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-2666. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

 applicant/inventor.
Signature assignee of record of the entire interest
See 37 CFR 3.71, Statement under 37 CFR 3.73(b)
is enclosed. (Form PTO/SB/96) attorney or agent of record.Sheryl Sue Holloway
Typed or printed name attorney or agent acting under 37 CFR 1.34(a).Registration number if acting under 37 CFR 1.34(a) 37,850
(Reg. No.)Juy 5, 2006
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest of their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

 *Total of 1 forms are submitted

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on 7/5/06 Cheri Clinkenbeard
Clinkenbeard Signature

Typed or printed name

05/01/03

07/11/2006 SSESHE1 00000020 09921199

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JUL 10 2006

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FEE TRANSMITTAL FOR FY 2005

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 500.00**Complete if Known:**

Application No. 09/921,199
 Filing Date 8/1/01
 First Named Inventor Hofrichter
 Examiner Name Smith, T.
 Art Unit 3629
 Attorney Docket No. 80398.P455

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify)

Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: _____

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

Charge fee(s) indicated below except for the filing fee

Credit any overpayments.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.
 Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fees Paid (\$)</u>
Fee Code	Fee (\$)	Fee Code (\$)	
1011	300	2011 150	Utility application filing fee
1111	500	2111 250	Utility search fee
1311	200	2311 100	Utility examination fee
			{ 1,000/500 }
1012	200	2012 100	Design application filing fee
1112	100	2112 50	Design search fee
1312	130	2312 65	Design examination fee
			{ 430/215 }
1013	200	2013 100	Plant filing fee
1113	300	2113 150	Plant search fee
1313	160	2313 80	Plant examination fee
			{ 660/330 }
1004	300	2004 150	Reissue filing fee
1114	500	2114 250	Reissue search fee
1314	600	2314 300	Reissue examination fee
			{ 1,400/700 }
1005	200	2005 100	Provisional application filing fee

SUBTOTAL (1) \$ 0

2. EXCESS CLAIM FEES

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims	– 20 or HP =	X _____	= _____
HP = highest number of total claims paid for, if greater than 20			
Independent Claims	– 3 or HP =	X _____	= _____
HP = highest number of independent claims paid for, if greater than 3			
Multiple Dependent Claims		_____	= _____

<u>Large Entity</u>	<u>Small Entity</u>			
<u>Fee</u>	<u>Fee</u>			
<u>Code</u>	<u>(\$)</u>	<u>Code</u>	<u>(\$)</u>	
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) \$ _____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	– 100 = _____ / 50 = _____ (round up to whole number)	X _____	_____	_____

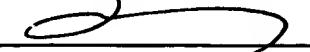
<u>Large Entity</u>	<u>Small Entity</u>			
<u>Fee</u>	<u>Fee</u>			
<u>Code</u>	<u>(\$)</u>	<u>Code</u>	<u>(\$)</u>	
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 0

FEE CALCULATION (continued)**4. OTHER FEE(S)**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fees Paid (\$)</u>
Non-English Specification, \$130 fee (no small entity discount)			
Fee Code	Fee (\$)	Fee Code (\$)	
1051	130	2051	65 Surcharge - late filing fee or oath
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for ex parte reexamination
1813	8,800	1813	8,800 Request for inter parties reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	120	2251	60 Extension for reply within first month
1252	450	2252	225 Extension for reply within second month
1253	1,020	2253	510 Extension for reply within third month
1254	1,590	2254	795 Extension for reply within fourth month
1255	2,160	2255	1,080 Extension for reply within fifth month
1401	500	2401	250 Notice of Appeal
1402	500	2402	250 Filing a brief in support of an appeal
1403	1,000	2403	500 Request for oral hearing
1451	1,510	1451	1,510 Petition to institute a public use proceeding
1452	500	2452	250 Petition to revive – unavoidable
1453	1,500	2453	750 Petition to revive - unintentional
1501	1,400	2501	700 Utility issue fee (or reissue)
1502	800	2502	400 Design issue fee
1503	1100	2503	550 Plant issue fee
1462	400	1462	400 Petitions to the Commissioner (CFR 1.17(f) Group I)
1463	200	1463	200 Petitions to the Commissioner (CFR 1.17(g) Group II)
1464	130	1464	130 Petitions to the Commissioner (CFR 1.17(h) Group III)
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	790	2809	395 For filing a submission after final rejection (see 37 CFR 1.129(a))
1814	130	2814	65 Statutory Disclaimer
1810	790	2810	395 For each additional invention to be examined (see 37 CFR 1.129(b))
1801	790	2801	395 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application
1504	300	1504	300 Publication fee for early, voluntary, or normal pub.
1505	300	1505	300 Publication fee for republication
1803	130	1803	130 Request for voluntary publication or republication
1808	130	1808	130 Processing fee under 37 CFR 1.17(i) (except provisionals)
1454	1,370	1454	1,370 Acceptance of unintentionally delayed claim for priority
Other fee (specify) _____			
Other fee (specify) _____			
SUBTOTAL (4) \$ 500.00			

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Sheryl Sue HollowaySignature: Date: July 5, 2006Reg. Number: 37,850Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450